THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8404 of 2007

23.04.2007

Between:

K. Hanumanthu.

... Petitioner

AND

The Assistant Commissioner of Endowments,
Mahaboobnagar, and another.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8404 of 2007

ORDER:

The petitioner is statedly devotee of Lord Anjaneya and Lord Shiva and regularly visits the temples at Amistapur Village dedicated to these deities. He alleges that the subject temples i.e., Sri Anjaneya Swamy temple and Shivalayam are three hundred years old and late Nizam endowed property admeasuring Acs.45.22 gts in survey Nos.100/1, 100/2, 357, 358, 362/1, 362/2, 368, 231, 289 and 421 to said temples. This land has been encroached upon by various persons and though the petitioner made representation to the respondents to take appropriate steps to evict the encroachers and restore the land to the temples, no action was taken. Therefore, he seeks a direction to first respondent, namely, the Assistant Commissioner to act upon the representation and restore the land to the temples.

Admittedly Anjaneya Swamy temple and Shivalayam are registered under Section 6(c) of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 (the Act, for brevity). If that be so, either the temple authorities or the Assistant Commissioner can make an application to the Deputy Commissioner under Section 83(1) of the Act, who alone is competent to evict the encroachers. It is not clear whether any trust board was appointed to the subject temples or not. The petitioner has statedly approached the authorities and he may seek redressal before them. This Court also observes that first respondent may also look into the matter and take necessary action under Section 83 of the Act.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

23rd April, 2007
ghn